REMARKS

This Amendment relates to the above-identified Application with Serial No. 09/681,844, with filing date June 15, 2001. Claims 1-48 are pending in this Application, stand rejected, and are at issue herein. Claims 1-5, 7-12, 15-22, 28-33 and 38-48 stand rejected under 35 U.S.C. §103(a) as being obvious over Raz et al., U.S. Pub. No. 20020138640 (hereinafter "*Raz*") in view of Bittinger et al, U.S. Pat. No. 5,859,971 (hereinafter "*Bittinger*"). Claims 6, 13-14, 23-27 and 34-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Raz* in view of Bittinger, in further view of Eylon et al., U.S. Pub. No. 20010034736 (hereinafter "*Eylon*").

Claims 4 and 17 have been canceled. Claims 1, 3, 5, 6, 8, 15, 18, 19, 23 and 28 have been amended. Support for the amendments can be found in the Specification on at least pages 6-7 and Figure 6. No new matter is therefore presented.

The Applicant would like to address the rejections of the Office Action and respectfully requests reconsideration of the rejections based at least in part on the traversal provided below.

Claims 1-5, 7-12, 15-22, 28-33 and 38-48 under 35 U.S.C. §103(a) - Raz and Bittinger

Claims 1-5, 7-12, 15-22, 28-33 and 38-48 stand rejected under 35 U.S.C. §103(a) over *Raz* in view of *Bittinger*. However, as more fully explained below, *Raz* fails to describe the invention as now claimed by the Applicant because, *inter alia*, *Raz* fails to teach a caching computing device that executes an application program component for a client computer as claimed

Raz provides "a predictive streaming application 160" that is located in a principal server to identify code modules that should be streamed to a client for the client to execute. Page 3, paragraphs 0029-0032. Importantly, *Raz* provides that a client 220 initially accesses the principal server 110 and starts the streaming of software application 120. Page 4, paragraph 0037. After the principal server starts the streaming, a client submits a request to the principal server via

intermediate servers. Page 3, paragraphs 0029-0032. A primary purpose of the predictive streaming application 160 is to anticipate what will be required by a client at various stages of execution of a streaming application by the client, which can vary and be nonlinear and user dependent, meaning that *Raz* teaches away from execution of an application program by a server. The predictive streaming application 160 streams code modules prior to their execution by the client or need at the client. Page 4, paragraphs 0034-0035. *Bittinger* fails to teach what *Raz* does not. *Bittenger* does not address executing an application program outside of a client. Rather, a difference is determined outside a client and only the difference data as determined by a server is sent back to the client to reduce traffic. Figure 8, 10B, Abstract.

Claims 1 has been amended to provide that the elements of the method now include "receiving a request in a caching computing device from an internal intercepting component of an original another computing device, the internal intercepting component capable of intercepting the request when it is internal to the original another computing device and redirecting the request to the caching computing device, the request for executing a component of the application program; determining whether or not the request relates to the a cacheable application program component that has been previously cached; directing the request to the cacheable application program component for execution by the caching computing device in response to a determination that the request relates to the component that has been cached; and, otherwise, passing the request to a further another computing device.

Claim 15 has been amended to provide "receiving a request for executing an application program component the request from an internal intercepting component of a client computing device, the internal intercepting component capable of intercepting an internal request and redirecting the request outside the client computing device to a device dedicated to caching and executing application program components" *Raz* fails to teach a device outside the client computer that is dedicated to caching and executing application program components.

14

Likewise, Claim 38 was previously amended to provide "a component to execute the application program component in response to a request, the request from by an internal intercepting component capable of intercepting and redirecting the request, the component to execute the application program component in lieu of execution by the original computing device." *Raz* fails to teach executing an application program component outside of the original device.

Claim 41 provides in part "a caching computing device to cache at least one cacheable application program component from an original computing device and execute the at least one component for the client computing device." Likewise, Claim 47 provides "in response to a request ... to execute the cached application program or the cached component, executing, at the caching computing device, the application program or the component thereof." Thus, each of the independent claims teach executing outside of an original computing device or client computer.

Each of independent Claims 1, 15, 38, 41 and 47 teach executing an application program component outside of a client or original computing device. Neither *Raz* nor *Bittinger* teach or suggest executing in a caching device and outside a client device as claimed and Claims 1, 15, 38, 41 and 47 are, therefore, allowable. Claims 2-14, 16-22, 39-40, 42-46 and 48 depend from Claims 1, 15, 38, 41 and 47 respectively, and are allowable with Claims 1, 15, 38, 41, and 47 for at least this reason.

Claims 6, 13-14, 23-27 and 34-37 under 35 U.S.C. §103(a) - Raz in view of Bittinger and Eylon

Applicant respectfully traverses the rejection of Claims 6, 13-14, 23-27 and 34-37 as being obvious under 35 U.S.C. §103(a) over *Raz* view of *Bittinger* and *Eylon* . First, neither *Bittinger* nor *Eylon* teach what Raz lacks. As discussed above, *Raz* fails to teach executing an application program outside of an original device or client as taught in Claim 1, upon which Claims 6, and 13-14 depend.

15

Regarding Claim 23 as amended, *Raz* combined with *Bittinger* and *Eylon* fail to teach a machine readable medium as claimed that performs acts including "caching any of the application program components from the original computing device that the usage of which has been assessed as sufficient to justifying caching to enable the computing device to execute the cached application program components."

Specifically, *Raz* combined with *Bittinger* and *Eylon* fail to teach the element "sufficient to justifying caching to enable the computing device to execute the cached application program components." As discussed above, *Bittinger* teaches sending only partial data that is reconstructed later. Likewise, *Eylon* teaches away from executing an application program component outside of an original or client computer. Rather, *Eylon* teaches having each required streamlet available to a client before the streamlet is needed so that the client can execute the application component. For at least these reasons, Claims 6 and 23 are allowable and non-obvious over the combination of *Raz* with *Bittinger* and *Eylon*. Claims 24-27 depend from Claim 23 and are allowable with Claim 23 for at least this reason. Claims 34-37 are allowable due to their dependency from Claim 28, which is allowable as discussed with reference to *Raz* in combination with *Bittinger*, discussed above.
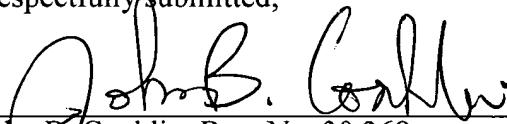
In re the Appln. of: Vellore T. Vetrivelkumaran
Appln. No.: 09/681,844

CONCLUSION:

Claims 1-48 are pending. Claims 1, 3, 5, 6, 8, 15, 18, 19, 23 and 28 have been amended. Claims 4 and 17 have been canceled. No new matter has been introduced. The rejection of Claims 1-5, 7-12, 15-22, 28-33 and 38-48 under 35 U.S.C. §103(a) has been traversed; and the rejection of Claims 6, 13-14, 23-27 and 34-37 under 35 U.S.C. §103(a) has been traversed.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

John B. Conklin, Reg. No. 30,369
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
Chicago, Illinois 60601
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: April 9, 2004